



<b>PETITION NUMBER:</b>	1001-PUD-02	
<b>APPROXIMATE ADDRESS:</b>	14751 Carey Road	
<b>PETITIONER:</b>	Ramsey Development Corp of Indiana	
<b>REPRESENTATIVE:</b>	Tim Huber	
<b>REQUEST:</b>	Amendment to the development standards for an area of Parcel M4 of the Bridgewater PUD.	
<b>CURRENT ZONING:</b>	Bridgewater PUD	
<b>STAFF REVIEWER:</b>	Kevin M. Todd, AICP	
<b>ZONING HISTORY:</b>	0607-PUD-08	Amended and Restated Bridgewater PUD Ordinance (Ord. 06-49)
	0908-PUD-04	Amendment to allow transitional health care uses (Ord. 09-17)
<b>EXHIBITS:</b>	<ol style="list-style-type: none"><li>1. Staff Report</li><li>2. Aerial Location Map</li><li>3. Dumpster/Berm Cross-Section</li><li>4. Proposed Amendment</li></ol>	

### **PETITION HISTORY**

This petition was before the Advisory Plan Commission (the “APC”) at the January 4, 2010 APC Workshop Meeting and will receive a public hearing at the January 19, 2010 APC Meeting.

### **PROCEDURAL**

- Amendments to approved Planned Unit Development (“PUD”) Districts are required to be considered at a public hearing.
- Notification of the January 19, 2010 public hearing was provided in accordance with the APC Rules of Procedure.
- The APC issues a recommendation to the City Council in regard to the proposed PUD amendment.

### **PROJECT DESCRIPTION**

The subject property is the 9 acres +/- located on the northern half of Parcel M4 in the Bridgewater PUD District (the “Property”). The proposed amendment would allow the proposed transitional health care facility to be built on the Property. The existing development standards for Parcel M4 were originally crafted for traditional commercial uses. They are appropriate for retail and office development, but do not accommodate a transitional health care facility on the Property.



The proposed amendment seeks to modify two standards, as they apply only to the Property, not all of Parcel M4. The first amendment would allow a single owner/tenant the ability to occupy up to sixty-five thousand (65,000) square feet of space within the Property. The second amendment would allow an option of locating a roofed, brick-enclosed dumpster either between buildings, connected to a building, or screened by a landscaped berm. See Exhibit 3 for a cross-section drawing of the dumpster and berm option.

NOTE – There is currently a commitment in place that restricts the collection of trash in Parcel M4 to occur only between the hours of 8:00 AM and 8:00 PM.

### **PUBLIC POLICIES**

#### **Comprehensive Plan-Feb 2007**

The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as Local Commercial (p. 23). The Comprehensive Plan identifies office uses, service uses, institutional uses, and attached residential dwellings as appropriate in the Local Commercial area (p. 47). The proposed use incorporates several of the contemplated uses for this area, as outlined in the Comprehensive Plan.

#### **Thoroughfare Plan-Feb 2007**

The current Westfield-Washington Township Thoroughfare Plan (the “Thoroughfare Plan”) roadway classification map identifies the impacted segment of Carey Road as a “Secondary Arterial” (p. 4-20), and recommends a minimum dedication of a sixty (60) foot half right-of-way (p. 5-3). The Thoroughfare Plan further recommends the provision of an eight (8) foot asphalt path within the right-of-way (p. 5-3).

#### **Parks & Recreation Master Plan-Dec 2007**

The Westfield Parks & Recreation Master Plan focuses on the build-out and development of the community’s existing parks and trail systems. The Property is not within or adjacent to an existing park or trail.

#### **Water & Sewer System-Aug 2005**

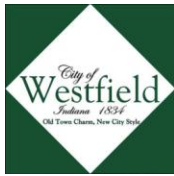
Water and sewer services run nearby the Property and would provide acceptable levels of service to the Property.

#### **Annexation**

The Property is within the corporate boundaries of the City of Westfield.

#### **Well Head Protection-Ord. 05-31**

The Property is not within a wellhead protection area.



## **INDIANA CODE**

IC 36-7-4-603 states that reasonable regard shall be paid to:

### **1. The Comprehensive Plan.**

The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as Local Commercial (p. 23). The Comprehensive Plan identifies office uses, service uses, institutional uses, and attached residential dwellings as appropriate in the Local Commercial area (p. 47). The proposed use incorporates several of the contemplated uses for this area, as outlined in the Comprehensive Plan.

### **2. Current conditions and the character of current structures and uses.**

The Property is currently being used agriculturally. It is located in the Bridgewater PUD and is zoned for commercial use, including transitional health care uses.

### **3. The most desirable use for which the land is adapted.**

The Comprehensive Plan established that commercial uses are appropriate for this area. The current plan for the Bridgewater PUD calls for retail-commercial to the south and attached residential to the north of the Property. The Bridgewater PUD allows for the proposed use.

### **4. The conservation of property values throughout the jurisdiction.**

It is anticipated that the proposed use would have a neutral or positive impact on surrounding property values and throughout the jurisdiction.

### **5. Responsible growth and development.**

The site is contiguous to other developments, and the development of the Property would be consistent with the principle of contiguous growth. City services such as water, sewer, and emergency services already exist on or near the Property and are adequate to serve the proposed development.

## **PROCESS REQUIREMENTS**

<b><u>Required Submittals</u></b>	<b><u>Original</u></b>	<b><u>Amended</u></b>	<b><u>Status</u></b>
Application	12/07/09	-	Compliant
Fees	12/09/09	-	Compliant
Legal Description	12/30/09	-	Compliant
Consent Form	12/09/09	-	Compliant
PUD Ordinance Amendment	12/07/09	-	Compliant



<u>Required Procedure</u>	<u>Original</u>	<u>Status</u>
Pre-Filing Conference	06/15/09	Compliant
Public Hearing Notice - Sign on site	08/07/09	Compliant
Public Hearing Notice - Newspaper	01/08/10	Compliant
Public Hearing Notice -Mail	12/30/09	Compliant

### **RECOMMENDATION**

Forward this petition to the Westfield City Council with a positive recommendation.

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***KMT***